

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

07 CRIM. 18

UNITED STATES OF AMERICA

- v. -

HERNANDO SARAIVIA,
a/k/a "Bacalao,"

Defendant.

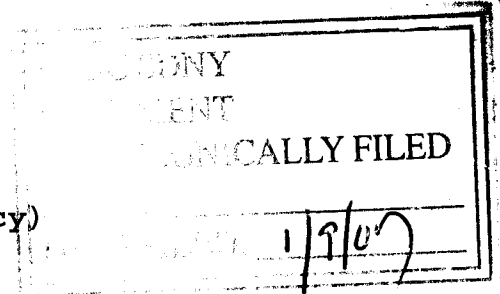
SEALED
INDICTMENT

___ Cr. ___

COUNT ONE

(Money Laundering Conspiracy)

The Grand Jury charges:



Statutory Allegations

1. From in or about January 2002 up to and including February 2002, in the Southern District of New York and elsewhere, HERNANDO SARAIVIA, a/k/a "Bacalao," the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Section 1956(a)(1)(B)(i) of Title 18, United States Code.

2. It was a part and an object of the conspiracy that HERNANDO SARAIVIA, a/k/a "Bacalao," the defendant, and others known and unknown, in an offense involving and affecting interstate and foreign commerce, knowing that the property involved in certain financial transactions represented the proceeds of some form of unlawful activity, unlawfully, willfully

and knowingly would and did conduct and attempt to conduct such financial transactions, which in fact involved the proceeds of specified unlawful activity, to wit, narcotics trafficking, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

Means and Methods of the Conspiracy

3. Among the means and methods by which HERNANDO SARAVIA, a/k/a "Bacalao," the defendant, and others known and unknown, would and did carry out the conspiracy were the following:

a. SARAVIA and others not named as defendants herein agreed to launder the cash proceeds of narcotics trafficking ("cash proceeds" or "proceeds"). These proceeds were generated by narcotics traffickers operating in Colombia and the United States.

b. SARAVIA and co-conspirators not named as defendants herein (hereinafter referred to as "money brokers") located in Colombia arranged for sub-brokers in the United States, including a confidential source for the Federal Bureau of Investigation (the "CS"), to retrieve cash proceeds of narcotics transactions and transfer the proceeds to the money brokers or their designees.

c. Co-conspirators not named as defendants herein, acting as couriers, retrieve large volumes of cash proceeds from narcotics traffickers in the United States. After obtaining the proceeds, couriers would thereafter transfer the proceeds to the sub-brokers, including the CS, in the United States. The proceeds, which generally were bundled by denomination, were transferred by bags and suitcases in public places.

d. Sub-brokers, including the CS, would and did deposit the cash proceeds into bank and brokerage accounts in the United States and in Colombia held or controlled by the money brokers and their designees, for the ultimate benefit of the narcotics traffickers in Colombia.

Overt Acts

4. In furtherance of said conspiracy and to effect the illegal object thereof, HERNANDO SARAVIDA, a/k/a "Bacalao," the defendant, and others known and unknown, committed the following overt acts, among others, in the Southern District of New York and elsewhere:

a. In or about January 2002, SARAVIDA called a co-conspirator not named as a defendant herein in Bogota, Colombia (the "Bogota co-conspirator") to arrange for a pick up of approximately \$400,000 in drug proceeds in New York, New York.


b. On or about January 22, 2002, the Bogota co-conspirator called the CS and told the CS that SARAVIA had arranged for a money pick up.

c. On or about January 25, 2002, a co-conspirator not named as a defendant herein met with the CS in New York, New York and gave the CS approximately \$400,000 in cash.

d. Following the seizure of the approximately \$400,000 by law enforcement, on or about February 24, 2002, SARAVIA had a telephone conversation with the CS in which the two discussed repaying the owner of the seized money.

(Title 18, United States Code, Section 1956(h).)


FOREPERSON


MICHAEL J. GARCIA *SJR*
United States Attorney

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(Title 18 U.S.C. Section 1956(h))

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

R. E. Feldman

Foreperson.

1/9/07
SES

Indictment filed.

MD Houston